
HOUSE BILL 2306

State of Washington 60th Legislature 2007 Regular Session

By Representatives Pettigrew, Appleton, Hasegawa, Roberts and Santos

Read first time 02/20/2007. Referred to Committee on Education.

1 AN ACT Relating to providing an equal opportunity to learn by
2 holding school systems accountable for students missing school;
3 amending RCW 28A.175.010 and 28A.225.151; adding a new section to
4 chapter 28A.300 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that equal educational
7 opportunity is an essential hallmark of a democratic society and is
8 essential to the health of Washington's economy.

9 Article IX, section 1 of the state Constitution states that "It is
10 the paramount duty of the state to make ample provision for the
11 education of all children residing within its borders, without
12 distinction or preference on account of race, color, caste, or sex."
13 Washington state is committed to maintaining an education system that
14 gives every child the opportunity to succeed.

15 There is considerable evidence that students of color, in
16 disproportionate numbers, are not succeeding in meeting learning
17 standards set by the state, as measured by the Washington assessment of
18 student learning and other achievement measures. Students who are
19 struggling to meet standards experience greater barriers to learning if

1 they are out of the classroom, or out of the school, due to discipline
2 or truancy. Schools must be able to maintain a safe and orderly
3 learning environment by imposing discipline when it is appropriate.
4 Schools must also ensure that each student receives an equal
5 opportunity to learn. School disciplinary practices, however,
6 sometimes have a disparate impact on certain students. Consistent
7 collection and review of disciplinary data is the necessary first step
8 in eliminating any such disparities. Regular reporting of data on
9 school discipline and truancy proceedings will aid school districts and
10 state educational policymakers in understanding how these tools are
11 being used and improving them.

12 School districts are currently required to collect and report
13 various types of information relating to student discipline in order to
14 comply with federal and state laws. Establishing a single, streamlined
15 discipline data collection system will reduce the administrative burden
16 on schools and districts.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
18 RCW to read as follows:

19 (1) Each school district shall file an annual report, by August 1st
20 of each year, with the superintendent of public instruction regarding
21 disciplinary and placement actions taken during the prior school year.
22 The report shall classify the types of actions into the following
23 categories:

24 (a) Actions in which a student was assigned to in-school
25 suspension;

26 (b) Actions in which a student was suspended for a period of ten
27 days or less;

28 (c) Actions in which a student was suspended for a period of more
29 than ten days;

30 (d) Actions in which a student was expelled;

31 (e) Actions in which a student was placed in an alternative
32 educational setting;

33 (f) Actions in which a student was suspended from riding the bus;

34 (g) Actions in which a student was emergency expelled; and

35 (h) Actions in which a student was removed from class.

36 (2) For each instance of disciplinary or placement action in

1 subsection (1) of this section, the school district shall collect and
2 report a summary of the following information:

3 (a) The category of offense or conduct for which actions were
4 taken;

5 (b) The student's age and grade level;

6 (c) The student's race/ethnicity and gender;

7 (d) The student's disability status;

8 (e) The student's eligibility for free or reduced price lunches
9 under federal guidelines;

10 (f) The student's eligibility for transitional bilingual
11 instruction, as defined in RCW 28A.180.030(3);

12 (g) The position of the person who recommended the disciplinary
13 action; and

14 (h) Whether a suspension or expulsion directly affected the
15 student's academic standing through the loss of credit or lowered
16 grades.

17 (3) The data required by this section shall be reported separately
18 for each school within the district and collected and reported in
19 compliance with the requirements of 20 U.S.C. Secs. 1232g and 1232h.

20 (4)(a) The superintendent of public instruction shall conduct a
21 study for each school year based upon the statistical data filed by
22 districts in accordance with this section for the purpose of
23 determining trends in discipline. The superintendent of public
24 instruction shall also use existing data on school personnel as needed
25 to establish trends in discipline.

26 (b) The superintendent of public instruction shall issue a report
27 on the study for the legislature by December 1st of each year. The
28 report shall be accessible to the public on the superintendent of
29 public instruction's report card web site and in such other forms as
30 will promote easy public access. The report shall include summaries of
31 the data rather than individual listing of each student's data.

32 (c) Nothing in this section shall be construed to authorize the
33 public release of personally identifiable information regarding
34 students.

35 (5) The superintendent of public instruction shall prepare, and
36 make available to school districts, recommendations for accumulating
37 the information required by this section in an electronic database, a
38 model report for districts to consider in the implementation of this

1 section, and a model form for reporting information electronically.
2 The model form shall allow schools to report the information required
3 by this section in a format that will be sufficient for schools and
4 districts to comply with discipline data reporting requirements
5 established by existing state and federal laws. The model form shall
6 assure that a student is not counted more than once for each suspension
7 or expulsion and assure an accurate count.

8 **Sec. 3.** RCW 28A.175.010 and 2005 c 207 s 3 are each amended to
9 read as follows:

10 (1) Each school district shall account for the educational progress
11 of each of its students. To achieve this, school districts shall be
12 required to report annually to the superintendent of public
13 instruction:

14 ~~((1))~~ (a) For students enrolled in each of a school district's
15 high school programs:

16 ~~((a))~~ (i) The number of students who graduate in fewer than four
17 years;

18 ~~((b))~~ (ii) The number of students who graduate in four years;

19 ~~((c))~~ (iii) The number of students who remain in school for more
20 than four years but who eventually graduate and the number of students
21 who remain in school for more than four years but do not graduate;

22 ~~((d))~~ (iv) The number of students who transfer to other schools;

23 ~~((e))~~ (v) The number of students in the ninth through twelfth
24 grade who drop out of school over a four-year period; and

25 ~~((f))~~ (vi) The number of students whose status is unknown~~((-))~~;

26 ~~((2))~~ (b) For students enrolled in any primary or secondary
27 school program in the school district:

28 (i) The number of students who received alternative educational
29 services, were enrolled in an alternative education program, or earned
30 academic credit while out of school during a long-term suspension or
31 expulsion, and the number of these students who did not receive
32 alternative educational services, enroll in an alternative education
33 program, or earn academic credit during the long-term suspension or
34 expulsion;

35 (ii) An estimate of the number of youth of school age residing
36 within the district but not attending school on a regular basis,
37 including homeless youth as defined by 42 U.S.C. Sec. 11434a(2); and

1 (iii) For any school district providing all or part of an
2 educational program for juvenile inmates pursuant to chapter 28A.193
3 RCW, or for juveniles in detention facilities pursuant to chapter
4 28A.190 RCW, the number of students who earned academic credit while
5 incarcerated or in detention, and the number incarcerated or in
6 detention who did not earn academic credit;

7 (c) Dropout rates of students in each of the grades seven through
8 twelve((-));

9 ((+3)) (d) Dropout rates for student populations in each of the
10 grades seven through twelve by:

11 ((+a)) (i) Ethnicity;

12 ((+b)) (ii) Gender;

13 ((+c)) (iii) Socioeconomic status; ((and

14 +d)) (iv) Disability status((-)); and

15 ((+4)) (v) Eligibility for transitional bilingual instruction as
16 defined in RCW 28A.180.030(3);

17 (e) The causes or reasons, or both, attributed to students for
18 having dropped out of school in grades seven through twelve, including
19 such categories as moved to another district in Washington, moved out
20 of state, enrolled in private school, and incarcerated.

21 ((+5)) (2) For purposes of reporting under this section, students
22 who ceased attending school for the duration of the academic year,
23 including those deemed disenrolled due to lack of school attendance,
24 shall be counted as dropouts.

25 (3) The superintendent of public instruction shall adopt rules
26 under chapter 34.05 RCW to assure uniformity in the information
27 districts are required to report under subsection((s)) (1) ((through
28 +4)) of this section. In developing rules, the superintendent of
29 public instruction shall consult with school districts, including
30 administrative and counseling personnel, with regard to the methods
31 through which information is to be collected and reported.

32 ((+6)) (4) In reporting on the causes or reasons, or both,
33 attributed to students for having dropped out of school, school
34 building officials shall, to the extent reasonably practical, obtain
35 such information directly from students. In lieu of obtaining such
36 information directly from students, building principals and counselors
37 shall identify the causes or reasons, or both, based on their
38 professional judgment.

1 ~~((7))~~ (5) The superintendent of public instruction shall report
2 annually to the legislature the information collected under
3 subsection ~~((s))~~ (1) ~~((through (4)))~~ of this section.

4 **Sec. 4.** RCW 28A.225.151 and 1996 c 134 s 5 are each amended to
5 read as follows:

6 (1) As required under subsections (2) and (3) of this section, each
7 school shall document the actions taken under RCW 28A.225.030 and
8 report this information to the school district superintendent who shall
9 compile the data for all the schools in the district and prepare an
10 annual school district report for each school year and submit the
11 report to the superintendent of public instruction by August 1st of
12 each year. The reports shall be made upon forms furnished by the
13 superintendent of public instruction and shall be transmitted as
14 determined by the superintendent of public instruction.

15 (2) The reports under subsection (1) of this section shall include:

16 (a) The number of enrolled students and the number of unexcused
17 absences;

18 (b) Documentation of the steps taken by the school district under
19 each subsection of RCW 28A.225.020 at the request of the superintendent
20 of public instruction. Each year, ~~((by May 1st))~~ in the annual report
21 on truancy due to the legislature by December 15th, the superintendent
22 of public instruction shall ~~((select ten school districts to submit the~~
23 ~~report at the end of the following school year. The ten districts~~
24 ~~shall represent different areas of the state and be of varied sizes.~~
25 ~~In addition, the superintendent of public instruction shall require any~~
26 ~~district that fails to keep appropriate records to submit a full report~~
27 ~~to the superintendent of public instruction under this subsection. All~~
28 ~~school districts shall document steps taken under RCW 28A.225.020 in~~
29 ~~each student's record, and make those records available upon request~~
30 ~~consistent with the laws governing student records))~~ submit a report
31 indicating whether all school districts have documented steps taken
32 under RCW 28A.225.020 in each student's record, summarizing the number
33 of times each district held a conference with parents or guardians to
34 analyze the causes of the child's absences, and listing actions taken
35 pursuant to RCW 28A.225.020(1)(c) to eliminate or reduce the child's
36 absences, including the frequency with which such actions were taken;

1 (c) The number of enrolled students with ten or more unexcused
2 absences in a school year or five or more unexcused absences in a month
3 during a school year;

4 (d) A description of any programs or schools developed to serve
5 students who have had five or more unexcused absences in a month or ten
6 in a year including information about the number of students in the
7 program or school and the number of unexcused absences of students
8 during and after participation in the program. The school district
9 shall also describe any placements in an approved private nonsectarian
10 school or program or certified program under a court order under RCW
11 28A.225.090; ~~((and))~~

12 (e) The number of petitions filed by a school district with the
13 juvenile court;

14 (f) For each petition filed by a school district with the juvenile
15 court, the school district shall collect and report a summary of:

16 (i) The number of times the school district reports additional
17 unexcused absences to the court pursuant to RCW 28A.225.035(13);

18 (ii) The number of contempt motions filed by a school district with
19 the juvenile court;

20 (iii) Whether the youth named in the petition returned to school
21 and earned academic credit following the filing of the truancy petition
22 in court;

23 (iv) Whether the youth named in the original petition returned to
24 school and earned academic credit following a contempt finding; and

25 (v) Whether the youth named in the petition returned to school and
26 earned academic credit following incarceration for contempt in a
27 truancy case.

28 (3) For each category of information required under subsection (2)
29 of this section, the reports under subsection (1) of this section shall
30 include information for student populations by:

31 (a) The students' age and grade level;

32 (b) The students' race or ethnicity and gender;

33 (c) The students' disability status;

34 (d) The students' eligibility for free or reduced price lunches
35 under federal guidelines; and

36 (e) The students' eligibility for transitional bilingual
37 instruction, as defined in RCW 28A.180.030(3);

1 (4) A report required under this section shall not disclose the
2 name or other identification of a child or parent.

3 (~~(4)~~) (5) The superintendent of public instruction shall collect
4 these reports from all school districts and prepare an annual report
5 for each school year to be submitted to the legislature no later than
6 December 15th of each year.

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